

July 26, 2017

Mr. Donald E. Hicks, P.E.  
Hicks Engineering Associates, Inc.  
200 E. Joppa Rd, Suite LL105  
Towson, MD 21286

Re: Williams Property, 12130 Eastern Avenue  
Forest Buffer Variance  
Tracking # 06-17-2517

Dear Mr. Hicks:

A request for a variance from the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains was received by this Department of Environmental Protection and Sustainability (EPS) on July 14, 2017. This request proposes 1,292 square feet of Forest Buffer impacts for the purposes of replacing an existing dwelling with a larger pre-fabricated modular home and providing a functional back yard area.

The building lot where the modular home will be located is Lot 2 of the Howard M. Williams Property minor subdivision that was approved in 2003. A Forest Buffer extending from a stream along the western property boundary encompasses the majority of the site. A variance was granted in 2000 to allow continued use of two existing dwellings in the Forest Buffer and to allow for a 20 foot building setback from the Forest Buffer. The reduced Forest Buffer Easement was recorded in the land records of Baltimore County, along with the associated Declaration of Covenants, Conditions and Restrictions.

The 1,292 square foot Forest Buffer impact area is of minimal water quality value, given that the existing dwelling on Lot 1 is located between the variance request area and the stream. The area has been maintained as lawn for many years. The new home will encroach less than 5 feet into the Forest Buffer Easement. The remainder of the variance area will remain as lawn. Additionally, the buildable area on Lot 2 is constrained due to the narrow width of the lot, the setback off of Eastern Avenue, and the requirement to convey a road widening area to the Maryland State Highway Administration. A parking pad is also needed for the new home.

This Department has reviewed your request, and has determined that a practical difficulty/unreasonable hardship does exist, and that the potential for impacts to water quality and aquatic resources as a result of this proposal can be minimized by performing mitigative measures. Therefore, hereby grant the requested variance in accordance with Section 33-3-106 of the Baltimore County Code, with the following conditions:

1. The following note must appear on all plans submitted for this project:  
“A variance was granted by the Baltimore County Department of Environmental Protection and Resource Management from Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains. The Forest Buffer Easement and building setback shown hereon are reflective of the fact that this variance was granted. Conditions were placed on this variance to reduce water quality impacts.”

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2. Mitigation for the Forest Buffer impacts shall be offset by purchase of 1,292 square feet of mitigation credit in a Baltimore County approved forest buffer mitigation bank. A letter of permission to purchase this credit is attached for your use. An executed bank letter, signed by the bank operator to indicate that payment for the credit has been received, shall be returned to EPS prior to building permit approval.
3. This variance shall be limited in scope to the impacts shown on the Exhibit A plot plan included with the variance application. All other areas of the Forest Buffer Easement for the Howard M. Williams Property minor subdivision shall remain undisturbed, as required by the attached Declaration of Protective Covenants, Conditions and Restrictions.

It is the intent of this Department to approve this variance subject to the above conditions. Any changes to site layout may require submittal of revised plans and an amended variance request.

Please have the property owner(s) sign the statement below and return a signed copy of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of plans for this project.

If you have any questions regarding this correspondence, please contact Ms. Patricia Farr at (410) 887-3980.

Sincerely yours,

Vincent J. Gardina  
Director

## Attachments

I/we agree to the above conditions to bring my/our property into compliance with the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains.

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Property Owner	Date
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Property Owner	Date
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Printed Name \_\_\_\_\_

Printed Name \_\_\_\_\_